



United States Department of State  
Under Secretary of State  
for Management  
Washington, D.C. 20520

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**INFORMATION MEMORANDUM**

TO: All agencies with an overseas presence in diplomatic facilities –  
See list of addressees in Exhibit A

FROM: ~~Christopher B. Burnham, Acting~~Henrietta H. Fore

RE: ~~FY05FY06~~ Guidance on the Capital Security Cost-Sharing  
Program Charges for ~~FY07FY08~~ Budgets – Standards for Counting  
Authorized Positions, Assigning Positions to Categories, and  
Calculating Charges for Each Agency

**BACKGROUND**

This guidance, ~~prepared and~~ approved by the Department of State and the Office of Management and Budget, explains the rationale, standards, definitions, and criteria for identifying positions and categorizing them to determine the charges payable by each Department and Agency under the Capital Security Cost-Sharing (CSCS) Program. Fiscal Year 2006 marks the fourth year in which CSCS charges are being calculated on the basis of Guidance Memoranda from the Under Secretary, and this Guidance Memorandum largely repeats last year's Memorandum. The Department intends to ~~initiate pursue~~ adoption of the substance of this Guidance ~~as a part of into~~ the Foreign Affairs Manual in ~~2005.FY06~~.

The Department is implementing the CSCS Program under the authority of Section 604 of the Secure Embassy Construction and Counterterrorism Act of 1999, as amended by the FY 2005 Consolidated Appropriations Act, Division B, Public Law 108-447 (December 8, 2004), a copy of which is attached as Exhibit B. The law authorizes the Secretary of State to determine the cost share allocable to each agency to provide new, safe, secure United States diplomatic facilities, in consultation with such agency. The law applies to all agencies with overseas personnel under chief of mission authority. Agencies are to pay in advance and without offsets,

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notwithstanding any other provision of law. The Secretary is directed to implement the CSCS Program in a manner that encourages right-sizing of each agency's overseas presence.

The CSCS Program is designed to

- (1) generate \$17.5 billion over 14 years to accelerate the construction of approximately 150 new secure, safe, functional diplomatic and consular office facilities for all U.S. Government personnel overseas, and
- (2) provide an incentive for all Departments and agencies to rightsize their overseas staff by taking into account the capital costs of providing facilities for their staff.

To achieve these objectives the CSCS Program imposes a per capita charge for (a) each authorized or existing overseas position for which diplomatic facilities space must be provided in U.S. diplomatic facilities, and (b) each projected position above current authorized positions in those New Embassy Compounds (NECs) that have already been included in the President's Budget or for which the budget a contract has already been presented to Congress. awarded. CSCS Program charges for ICASS International Cooperative Administrative Support Services (ICASS) positions are also passed through to agencies based on their relative percentages of use of ICASS services. Agencies are eligible to receive a Rent Credit each year for office rent paid because the existing diplomatic facilities are not able to accommodate their overseas personnel. *This Credit recognizes the extra burden the agency is currently carrying.*

Unless otherwise specified, every reference to "agency", "agencies", or "Department or Agency", comprises all agencies with an overseas presence, including the State Department and ICASS (which is treated as an agency for the purpose of the CSCS Program), and the same standards and guidance apply to the extent allowed by law.

In accordance with the direction of Congress, the CSCS Program *will be is being* administered in a manner that is "inclusive, cooperative, and transparent."

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- Inclusiveness requires that all agencies be treated fairly and have access to data and appeal procedures. The Department will make diligent efforts to communicate relevant information and share documents establishing Program policies, procedures, and results. It will take the initiative to consult with all agencies and inform them of their rights and obligations under the law and implementing procedures.
- Cooperativeness requires that the charges assessed to each agency be generated on the basis of a consistent, uniform, standardized formula. The Department will not negotiate or adjust charges for any agency on any other basis.
- Transparency requires that the CSCS Program materials be open to all agencies, as well as Congress and the public. The Department will make all relevant information relating to the Program available to agencies upon request. Each agency may examine the charges and position count data for other agencies. The CSCS Program will be administered using unclassified data to the fullest extent possible.

The CSCS Program is entirely separate from the ~~NSDD-38~~ National Security Decision Directive (NSDD)-38 process and the Department's programs and mechanisms for establishing NEC priorities in the Long-Range Overseas Buildings Plan, projecting ~~positions in~~ the size of NECs, and allocating space in existing facilities and proposed NECs. Nevertheless, the Department recognizes that the requirement that all agencies share in the funding of NECs is a further impetus for allowing all agencies to participate fully in those processes. The Department has adopted improved procedures to ensure full consultation with all agencies in the NEC planning process.

~~*In order to implement the CSCS Program, each Department and Agency's existing or authorized overseas positions must be identified and categorized as being located in controlled-access (classified) office space, non-classified office space, or non-office space. Positions that must be located outside the embassy or consulate for reasons unrelated to the availability of office space*~~

~~are not subject to CSCS Program charges, but it is important to tabulate these positions to facilitate verification of the count.~~

~~The Department is distributing a survey in 2005 calling on every post to submit listings of all existing positions and all other positions authorized under NSDD-38 or otherwise that were under the authority of the Chief of Mission as of January 1, 2005. Posts will be given the most recent CSCS data as a baseline from which to work. The Department will share and discuss that information with the agencies' headquarters to confirm its accuracy as in past years. After reaching an agreement on all figures, the Department will issue individual agency invoices for the FY07 charges.~~

## FUNDAMENTAL POLICY

The underlying rationale that guides decisions on whether to count a position and how to categorize it for purposes of calculating the CSCS charges is whether the position will need space, and what kind of space, in an NEC when it is built. At many posts, U.S. Government personnel are scattered among several locations, on and off the embassy grounds, for historical reasons or because of inadequate space in existing diplomatic facilities. The Secure Embassy Construction and Counterterrorism Act of 1999, however, requires the collocation ~~on the NEC~~ of all U.S. Government personnel at post on the NEC unless the Secretary of State and the head of the relevant Department or Agency both personally approve a waiver. Exceptions are recognized in those few cases where ~~waivers have been or are likely to be granted~~ the Department has concluded that collocation is not appropriate – for example, U.S. Government employees who must work in host-government office buildings, or in research or medical facilities, to accomplish their mission. Otherwise, all U.S. Government personnel and vacant authorized positions ~~will be that are assigned to a chargeable location~~ are charged under the CSCS Program. Chargeable locations are defined as Embassies, Consulates General, Consulates, U.S. Missions, Branch Offices, U.S. Interest Offices, U.S. Liaison Offices, Department of State Language Schools, and Consular Agencies.

## COUNTING POSITIONS AND ASSIGNING POSITIONS TO CATEGORIES

**1. Positions To Be Charged.** The CSCS charges apply to the total number of existing or authorized positions, i.e. the total of both filled and currently unfilled positions. It includes direct-hire American positions and all locally employed staff (LES) (which includes Foreign Service Nationals (FSNs), local Personal Services Contractors (PSCs), temporary appointees, including long-term and permanent or rolling TDY positions, and ~~spouse-employment~~ eligible family member positions), contractors working in U.S. Government -owned or -leased facilities, and any others working in U.S. Government facilities. Part-time and temporary positions are counted in accordance with the ICASS policy on temporary duty positions. Each authorized position is counted only once, even if it arguably falls in more than one of the four categories below, unless the position occupies multiple offices or workspaces simultaneously. For positions that are staffed on more than one shift (e.g., security guards, drivers), the charge is adjusted to reflect the fact that facilities needs are not increased by additional shifts.

**2. Which Agency Pays.** Many agencies participate in programs that are “cross-funded;” i.e., the funds come from another agency’s budget account. The policy of the CSCS Program is that the agency that is listed as the employer of an individual [or the unfilled position]; i.e., “the payor on the paycheck,” is the one that should bear the fiscal responsibility under the CSCS Program for the capital cost for accelerated construction of new facilities. If an agency is cross-funded by another agency or program and needs a larger reimbursement in order to ~~support~~ pay the CSCS Program cost of the cross-funded activities, it should include the CSCS charges in its request to the funding agency in the same manner as an increase in travel, salaries, or other expenses.

This approach ~~keeps~~ simplifies the administration of the CSCS Program. ~~simple~~ The State Department cannot practically trace the funding of every agency's overseas programs. The policy also encourages rightsizing, because the employing agency and its cross-funding partner have the best control over personnel levels, the best understanding of the programmatic choices involved, and the

strongest incentive to resolve the budgetary issues in a rational manner.

### 3. Categories of Positions

- ~~COM~~ Principal Office Positions. Each ~~post has one Chief of Mission (COM)~~ chargeable location has one Principal Office (PO) position, which is assigned to the Department of State. A higher per capita charge applies because the ~~COM PO has representational~~ space that is more elaborate than the space for other personnel.
- CAA Office Positions. This category comprises authorized positions that need to be able to operate inside a controlled access area. The controlled access area (CAA) is that portion of the USG-owned or -leased mission facilities in which the handling of classified information is authorized. Although an individual may be cleared for access to classified information, the position only counts as a CAA position if CAA space has been allocated to it. In some cases, several representatives of an agency will work outside CAA space but share one or more desks within the CAA to conduct their work. If the NEC Space Requirements Program provides one or more CAA desks to that agency, the agency will be considered to have that number of CAA positions in addition to the non-CAA positions.
- Non-CAA Office Positions. This category comprises existing or authorized office positions operating, or intended to operate, at a desk, office, or workstation in USG-owned or -leased mission facilities but outside of the CAA. A support supervisory position that occupies a desk or workstation (e.g., chief of motor pool) ~~should be included~~ is counted as an office position. If a position has a desk, office, or workstation assigned to it, it ~~should be~~ is counted as an office position regardless of the amount of time the current incumbent actually spends working at the desk.
- Non-office Positions. This category comprises existing or authorized “non-office” positions operating, or intended to operate, on the premises of USG-owned or -leased mission facilities. Non-office positions include custodians, laborers, warehouse staff,



gardeners, drivers, etc. who do not have an assigned desk, office, or workstation. As noted above, counts will be adjusted to reflect the use of the same facilities by multiple shifts where they occur.

- Outside Embassy Positions.

- (1) This category comprises authorized positions that, in order to do their work, must be located in non-USG-owned or -leased facilities or other non-mission facilities (e.g., in government ministries, at airports and seaports, at memorials, at universities, etc.). Often the host government provides this space. For purposes of the CSCS Program, the Department is assuming that such positions will ~~receive Secretarial waivers from~~ not be affected by the collocation requirement when an NEC is built for that post. Since the positions that fall under this category would not be provided space in an NEC, they are counted, but not charged under the program.
- (2) This category also includes positions that do not perform diplomatic or administrative work, such as research scientists in laboratories or technicians at antenna fields, and roving guards whose mission is residential protection. Since the positions that fall under this category would not be provided space in an NEC, they are counted, but not charged under the program.
- (3) Peace Corps professional staff positions are listed in the survey ~~but are not counted for CSCS cost-sharing because of~~ and counted, but not subject to CSCS charges due to Congressional guidance that they should not be required to collocate in an NEC.
- (4) Positions located in cities that do not have diplomatic posts are not counted, because no NEC or other State Department facility is contemplated for such locations.
- (5) Positions that currently occupy leased space in mission annex buildings are not Outside Embassy positions, because they are considered part of the mission and will be counted when the

Department determines the appropriate size for an NEC. Positions in annex buildings, even if the building is leased or wholly occupied by one agency, should be listed as CAA, Non-CAA Office, or Non-office positions.

- Marine Security Guards. ~~Congress has directed that~~ Marine Security personnel, including commanders and local-hire staff shall be counted, but Congress has directed that they not be included in the calculation of CSCS charges. The Marines protect all USG classified activities at the post, and everyone benefits from their presence.

4. **NEC Projected Staff Growth Positions.** ~~(These positions are used to calculate what was called the “NEC Staff Adjustment Charge” in the prior Guidance Memorandum.)~~ The fundamental building block for planning an NEC is the projected number and types of positions that must be accommodated in the new facilities. The Department of State and OMB request funds, and Congress allocates funds, to particular NEC projects on the basis of these projections, which are the product of a process that includes approval by each agency’s headquarters.

To encourage careful, realistic projections of staffing, when an agency projects NEC positions that exceed its current existing or authorized positions at a post and that post is ~~scheduled and~~ budgeted for an NEC in the President’s Budget or a contract for construction is actually awarded, the projected growth positions will ~~also~~ be counted and charged the CSCS Program charges as if they already existed as authorized positions. The list of Capital Security projects to which the NEC Projected Staff Growth Charge applies is attached as Exhibit C.

The NEC Projected Staff Growth Charge for a given facility begins in the first fiscal year following the date the projection is used for determining the size, configuration, and budget for the NEC. That year is typically the year that the Department submits the project to OMB for inclusion in the President’s budget, but will be the year in which a contract for a project is awarded if the project was not included in that year’s Presidential Budget. NECs on last year’s list of posts covered by the Projected Staff Growth Charge that opened prior to January 1, 2006.



have been removed from the list. For the calculation of the FY08 charges, the Department lists 51 Capital Security construction projects that are in various stages of design and construction. ~~Including the projects funded by Congress or in the President's FY 2006 Budget and deleting those that will be occupied during FY 2005, 48 Capital Security construction projects are in various stages of design and construction. The list of Capital Security projects to which the NEC Projected Staff Growth Charge applies is attached as Exhibit C.~~

Projected decreases at a proposed NEC may not be netted against projected increases in NEC staffing at another post unless the reductions were approved by agency headquarters and incorporated into the projections and budgeting for that post before funding was requested from Congress. Otherwise, the projected reductions will not benefit the agency until the year the NEC opens and they actually occur.

In order to treat all agencies equally and fairly, an agency that underestimates its projected staffing and requests an increase in positions after the President's Budget is fixed or the contract is awarded will be required to pay Projected Staff Growth Charges retroactively, as if it had properly projected the positions at the proper time. (In addition it may be required to bear some or all of the costs of any increase in actual construction costs resulting from its late decision to expand.)

## **CALCULATING THE CSCS PROGRAM CHARGES FOR EACH AGENCY**

1. **Existing Positions Charge.** Once the number and type of authorized positions have been established, calculating the basic charges is straightforward. The Department ~~and OMB have~~ has established the following per capita charges, which reflect the costs of construction of the various types of space in NECs. The per capita charge for FY08 – FY10 is being fixed, so each agency's bill will vary directly with changes in the number of its overseas positions. This approach facilitates budget planning by all concerned. The fully phased-in Position Charges are as follows:

\$ ~~209,034~~ 186,886 per capita for PO ~~COM~~ space

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<u>\$ 59,318</u>	<u>50,724 per capita for CAA space</u>
<u>\$ 28,144</u>	<u>20,488 per capita for non-CAA space</u>
<u>\$ 4,940</u>	<u>3,546 per capita for non-office space</u>

Outside embassy positions, as described above, are not charged.

2. **Phase-In.** The Position Charges in the previous paragraph are being phased in over five years, with the FY05 per capita charges being 20% of the amounts above; FY06, 40%; FY07, 60%; FY08, 80%; and FY09, 100%. ~~For FY 2007, the per capita charges are~~ For FY 2008, the per capita charges are 80% of the full Position Charges listed above:

<u>\$ 149,509 per capita</u>	<u>for PO space</u>
<u>\$ 40,579 per capita</u>	<u>for CAA space</u>
<u>\$ 16,391 per capita</u>	<u>for non-CAA space</u>
<u>\$ 2,837 per capita</u>	<u>for non-office space</u>

3. **ICASS Pass-Through.** ICASS positions are listed and counted like those of all other agencies, but ~~its~~ their costs are ultimately the joint responsibility of the participating agencies. The ICASS Executive Board has decided to pass through its CSCS Program charges for ICASS positions like other indirect costs: they are to be paid at the headquarters level ~~on the basis of in~~ the same percentage proportion as overall use of ICASS services. The Department ~~will include~~ includes each agency's share of ICASS CSCS Program charges on the same invoice as the other CSCS Program charges. Each agency's invoice ~~will include~~ includes a line showing the ICASS CSCS Program charges allocated to the agency.
4. **NEC Projected Staff Growth Charge.** Projected Staff Growth positions will be allocated to the four categories using the same criteria described above. The per capita charges for these projected positions are the same as corresponding CSCS Program Charges for existing positions. ~~This charge will be displayed on each agency's invoice as a separate line to facilitate understanding of the basis for the calculation of the charges.~~ The data supporting the invoice and statement supplied to each agency will show charges for planned

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positions at those posts where planned positions exceed current positions.

5. **Rent Credit.** Each agency that is paying rent for office space for existing or authorized positions that are counted and included in the CSCS Program charges is given credit for the amount of rent it actually paid to provide offices for those positions in the year in which the count of authorized positions occurred. This credit is for the net rent paid, not including maintenance, utilities, or other expenses, as similar expenses are incurred by agencies located within the Department's owned diplomatic facilities. The Department has arranged with ICASS to provide the rent paid by each agency through ICASS, and that amount will automatically be credited to the agency. Each agency must take the initiative to claim and document any amount of other rent it is paying this year, with sufficient specificity that the rent can be verified in the Department's leased property records. The full amount of the Rent Credit will be applied against the total amount of CSCS Program charges, thereby reducing the agency's obligation.

## **PROCEDURES FOR ~~REVIEW OF DATA AND~~ RESOLUTION OF DIFFERENCES**

To implement the CSCS Program, each Department and Agency's existing or authorized overseas positions must be identified and categorized according to the type of space it occupies: CAA space, non-CAA space, or non-office space. Positions that are not charged for whatever reason must also be tabulated to facilitate verification of the count.

The Department has distributed an Access database survey tool calling on posts to submit listings of all existing positions and all other positions authorized under NSDD-38 or otherwise that were under the authority of the Chief of Mission as of January 1, 2006. Posts will be given the most recent CSCS data as a baseline from which to work. This year, a more structured verification process has been implemented to that will facilitate a more accurate survey process and improve the quality of the incoming data.

1. **Sign-off at Post.** Posts will now be required to provide OBO a certification form signed by the ICASS Council Chair and Management

Officer at post that certifies the data is accurate. The certification form will require the names and contact information of the representative from each agency at post who confirmed the data. The Management Officer at post will provide the final signature verifying both the State Department positions as well as the overall validity of the submission. The form, which will be made available automatically during the data “checkout” process, will be faxed to OBO immediately upon completion of the survey and submission of the data. Posts’ responses will not be considered complete until this signed form is transmitted to OBO.

2. ~~1.—Review within the Department.~~ Review in Washington. When each agency receives its data from the survey of posts ~~and NEC Projected Staff Growth~~, it will be invited to propose corrections to its existing or authorized position lists and claims for Rent Credit. The agency should first verify its corrections with its representatives at the affected posts, who should then coordinate with the post Management Officer. The State Department will review the requested corrections, seek the concurrence from post, discuss the differences with the agency, and seek to resolve them either through direct discussions or by communicating with posts about discrepancies in the data. Senior officials will review the arguments and provide guidance on resolving any remaining differences. ~~The Department is moving toward an integrated process that gathers full individual position data in a single format that can be used for CSCS charges and for NEC budget, staffing, and space allocation planning.~~

To verify the data for the State Department and ICASS, OBO will transmit the State Department and ICASS position data to each Regional Bureau for an official review, with copies to HR and RM/BP.

After ~~Once the Department and the agency have resolved~~ any differences over the position data and rent credits are resolved with the interested agency, the Chief Financial Officer of the State Department (CFO) will send a letter to his counterpart at each agency transmitting a statement of charges ~~that~~ for FY08, which should be incorporated into the agency’s upcoming budget submission to the Office of Management and Budget (OMB). This information will also be given directly to

OMB. The CFO's letter will also transmit a final invoice for the ~~FY06~~ FY07 charges, which will be due immediately after the enactment of the ~~FY06~~ FY07 appropriations (or October 1, ~~2005~~ 2006 if that is later).

3. **Final Review by OMB.** To the extent that differences have not been resolved through (1) discussions between the Department and the agency, or (2) if the issue is a matter of general applicability, through consultation with a working group of the Interagency Facilities Council, the Department and the agency will present their respective views in writing to the appropriate OMB staff, and OMB will facilitate the final resolution of the differences.

OBO is working with HR technical teams to implement changes to the Post Personnel (PASS) system that will enable OBO to obtain the position information for the CSCS Program directly from it, as opposed to conducting its own data calls. Once the system is in place, OBO will utilize PASS information for position data. This approach will reduce workload on Posts by eliminating separate CSCS surveys.

Attachments:

Exhibit A: List of Addressees

Exhibit B: Legislation authorizing the CSCS Program

Exhibit C: Posts covered by the NEC Projected Staff Growth Charge

**~~Exhibit A: List of addressees at all agencies with an overseas presence under Chief of Mission authority~~**

<del>Name</del>	<del>Department or Agency</del>
<del>Lyle Sebranek</del>	<del>Agriculture Department</del>
<del>Vincent Scatamacchia</del>	<del>American Battle Monuments Commission</del>
<del>Brian Conniff</del>	<del>Broadcasting Board of Governors</del>
<del>Barbara Retzlaff</del>	<del>Commerce Department</del>
<del>John Roth</del>	<del>Defense Department</del>
<del>Beverly Rexrode</del>	<del>Defense Security Cooperation Agency</del>
<del>Joanne Phipps</del>	<del>Energy Department</del>
<del>James K. Hess</del>	<del>Export-Import Bank of the U.S.</del>
<del>Mike Petty</del>	<del>Foreign Broadcast Information Service</del>
<del>Ellen Warren</del>	<del>General Services Administration</del>
<del>Brian Trent</del>	<del>Health and Human Services Department</del>
<del>Andrew Maner</del>	<del>Homeland Security Department</del>
<del>Patricia Garate</del>	<del>ICASS</del>
<del>Karen Clark</del>	<del>Interior Department</del>
<del>Paul Corts</del>	<del>Justice Department</del>
<del>Lygia Ballantyne</del>	<del>Library of Congress</del>
<del>Paula Geisz</del>	<del>NASA</del>
<del>Thomas N. Cooley</del>	<del>National Science Foundation</del>
<del>Margaret Doane</del>	<del>Nuclear Regulatory Commission</del>
<del>Rosemary Allen</del>	<del>Overseas Private Investment Corporation</del>
<del>Janice Hagginbotham</del>	<del>Peace Corps</del>
<del>Dale Sopper</del>	<del>Social Security Administration</del>
<del>Christopher Burnham</del>	<del>State Department</del>
<del>Juergen Tooren</del>	<del>Transportation Department</del>
<del>Jesus Delgado-Jenkins</del>	<del>Treasury Department</del>
<del>Gary Nagle</del>	<del>U.S. Agency for International Development</del>
<del>Dona Harris</del>	<del>U.S. Environmental Protection Agency</del>
<del>Noreen St. Louis</del>	<del>U.S. Trade &amp; Development Agency</del>
<del>William Shockley</del>	<del>U.S. Trade Representative</del>
<del>JoAnn Van Beusichem</del>	<del>Veterans Affairs Department</del>



**Exhibit A: List of addressees at agencies with an overseas presence under Chief of Mission authority**

<b><u>Name</u></b>	<b><u>Department or Agency</u></b>
<u>Charles Alexander, Jr.</u>	<u>Agriculture Department</u>
<u>Richard Holcomb</u>	<u>American Battle Monuments Commission</u>
<u>Brian Conniff</u>	<u>Broadcasting Board of Governors</u>
<u>Barbara Retzlaff</u>	<u>Commerce Department</u>
<u>John Roth</u>	<u>Defense Department</u>
<u>Nicholas Carlson</u>	<u>Energy Department</u>
<u>Michael Discenza</u>	<u>Export-Import Bank of the U.S.</u>
<u>Sandra Henderson</u>	<u>Foreign Broadcast Information Service</u>
<u>Deborah Shilling</u>	<u>General Services Administration</u>
<u>Lester Cash</u>	<u>Health and Human Services Department</u>
<u>Andrew Maner</u>	<u>Homeland Security Department</u>
<u>Eric Hembree</u>	<u>ICASS, Department of State</u>
<u>Karen Clark</u>	<u>Interior Department</u>
<u>Paul Corts</u>	<u>Justice Department</u>
<u>Lygia Ballantyne</u>	<u>Library of Congress</u>
<u>Paula Geisz</u>	<u>NASA</u>
<u>Kathryn Sullivan</u>	<u>National Science Foundation</u>
<u>Margaret Doane</u>	<u>Nuclear Regulatory Commission</u>
<u>Rosemary Allen</u>	<u>Overseas Private Investment Corporation</u>
<u>Thomas Bellamy</u>	<u>Peace Corps</u>
<u>Dale Sopper</u>	<u>Social Security Administration</u>
<u>Sid Kaplan</u>	<u>State Department</u>
<u>Juergen Tooren</u>	<u>Transportation Department</u>
<u>Sandra Pack</u>	<u>Treasury Department</u>
<u>Gary Nagle</u>	<u>U.S. Agency for International Development</u>
<u>Dona Harris</u>	<u>U.S. Environmental Protection Agency</u>
<u>Noreen St. Louis</u>	<u>U.S. Trade &amp; Development Agency</u>
<u>William Shockley</u>	<u>U.S. Trade Representative</u>
<u>Arlyce Dubbin</u>	<u>Veterans Affairs Department</u>

## **Exhibit B: Legislation authorizing the CSCS Program**

SEC. 629. Section 604 of the Secure Embassy Construction and Counterterrorism Act of 1999 (title VI of division A of H.R. 3427, as enacted by section 1000(a)(7) of Public Law 106–113) is amended by adding the following new subsection at the end:

“(e) CAPITAL SECURITY COST SHARING.—

“(1) AUTHORITY.—Notwithstanding any other provision of law, all agencies with personnel overseas subject to chief of mission authority pursuant to section 207 of the Foreign Service Act of 1980 (22 U.S.C. 3927) shall participate and provide funding in advance for their share of costs of providing new, safe, secure United States diplomatic facilities, without offsets, on the basis of the total overseas presence of each agency as determined annually by the Secretary of State in consultation with such agency. Amounts advanced by such agencies to the Department of State shall be credited to the Embassy Security, Construction and Maintenance account, and remain available until expended.

“(2) IMPLEMENTATION.—Implementation of this subsection shall be carried out in a manner that encourages right-sizing of each agency’s overseas presence.

“(3) EXCLUSION.—For purposes of this subsection ‘agency’ does not include the Marine Security Guard.”.

SEC. 630. (a) Except as provided in subsection (b), a project to construct a diplomatic facility of the United States may not include office space or other accommodations for an employee of a Federal agency or department if the Secretary of State determines that such department or agency has not provided to the Department of State the full amount of funding required by subsection (e) of section 604 of the Secure Embassy Construction and Counterterrorism Act of 1999 (as enacted into law by section 1000(a)(7) of Public Law 106–113 and contained in appendix G of that Act; 113 Stat. 1501A–453), as added by section 629 of this Act.

(b) Notwithstanding the prohibition in subsection (a), a project to construct a diplomatic facility of the United States may include office space or other accommodations for members of the Marine Corps.

*FY2005 Consolidated Appropriations Act, Public Law No. 108-447,  
December 8, 2004*

**Exhibit C: NEC Projected Staff Growth Posts**

This list encompasses projects that are in various stages of design and construction with funds already appropriated by Congress or being requested in the President's FY 2006 budget. This list does not include posts that are scheduled to be occupied in FY05.

**Budgeted FY****2002**

Conakry  
Phnom Penh  
Tashkent  
Tbilisi  
Yaounde

*FY Total = 5*

**Budgeted FY****2003**

Astana  
Athens Annex  
Bamako  
Beijing  
Bridgetown  
Frankfurt  
Freetown  
Kingston

FY Total = 8

**Budgeted FY 2004**

Accra	Lome
Algiers	Managua
Belmopan	Panama City
Berlin	Port-au-Prince
Kathmandu	Rangoon

**Budgeted FY 2005**

Bamako Annex	Kingston Annex
Beirut	Moscow Annex
Bogotá	Mumbai
Ciudad Juarez	Quito
Kathmandu Annex	Skopje
Khartoum	Suva

FY Total = 12

**Budgeted FY 2006**

Abuja Annex	Lusaka
Accra Annex	Managua Annex
Asmara	Maputo
Harare	Sarajevo
Karachi	St Petersburg
Kiev	Tbilisi Annex
Kigali	

*FY Total = 13*

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**Exhibit C: NEC projected staff growth posts**

This list encompasses projects that are in various stages of design and construction with funds already appropriated by Congress or being requested in the President's FY 2007 budget. This list does not include posts that were already occupied as of January 1, 2006, nor posts that have been previously budgeted with no award made to date.

**Awarded FY 2002**

Conakry  
Phnom Penh

*FY Total = 2*

**Awarded FY 2003**

Astana  
Athens Annex  
Bamako  
Beijing  
Bridgetown  
Freetown  
Kingston

*FY Total = 7*

**Awarded FY 2004**

Accra  
Algiers  
Belmopan  
Berlin  
Kathmandu NEC  
Lome  
Managua NEC  
Panama City  
Port au Prince  
Rangoon

*FY Total = 10*

**Awarded FY 2005**

Accra Annex  
Asmara  
Baghdad  
Bamako Annex  
Bogotá Annex  
Ciudad Juarez  
Kathmandu Annex  
Khartoum NEC  
Kigali  
Kingston Annex  
Managua Annex  
Moscow Annex  
Mumbai  
Quito  
Skopje

*FY Total = 14*

**Budgeted FY 2006**

Abuja Annex  
Harare  
Karachi  
Kiev  
Lusaka  
Maputo  
Sarajevo  
St. Petersburg  
Tbilisi Annex

*FY Total = 11*

**Budgeted FY2007**

Addis Ababa  
Antananarivo  
Belgrade  
Calcutta  
Kinshasa  
Mexico City  
Riga

*FY Total = 7*

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Clearances:

OBO – C. Williams

CFO – ( after circulation for agency comments)

RM/BP – (after circulation for agency comments)

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